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EP 1643

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of  
John D. Noti

Serial No.: 09/476,202

Filed: January 3, 2000



Date: April 4, 2000

Docket No.: 052544-0108

Group Art Unit: 1643

For: MYELOID CELL PROMOTER AND CONSTRUCTS CONTAINING SAME

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.56Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Submitted herewith on Form PTO-1449 and presented below is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 C.F.R. §§1.97 and 1.98.

UNITED STATES PATENT DOCUMENTS

<u>PATENT NUMBER</u>	<u>INVENTOR</u>	<u>ISSUE DATE</u>
5,502,176	Tenen <i>et al.</i>	3/26/96
5,556,954	Burn <i>et al.</i>	9/17/96

OTHER DOCUMENTS

J. Noti *et al.*, Human p150,95  $\alpha$ -Subunit: Genomic Organization and Analysis of the 5'-Flanking Region. DNA and Cell Biol., Vol. 11, pp. 123-138 (1992).

A. Back *et al.*, Leukocyte Integrin CD11b Promoter Directs Expression in Lymphocytes and Granulocytes in Transgenic Mice. Blood, Vol. 85, No. 4, pp. 1017-1024 (1995).

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K. Ritchie *et al.*, The Human Leukocyte Integrin CD11a Promoter Directs Expression in Leukocytes of Transgenic Mice. Blood, Vol. 85, No. 1, pp. 147-155 (1995).

M. Van der Vieren *et al.*, A Novel Leukointegrin,  $\alpha\text{d}\beta 2$ , Binds Preferentially to ICAM-3. Immunity, Vol. 3, pp. 683-690 (1995).

D. Wong *et al.*, Cloning and Chromosomal Localization of a Novel Gene- Encoding a Human  $\beta 2$ -Integrin  $\alpha$ Subunit. Gene, Vol. 171, pp. 291-294 (1996).

T. Brocker *et al.*, Targeted Expression of Major Histocompatibility Complex (MHC) Class II Molecules Demonstrates that Dendritic Cells Can Induce Negative but Not Positive Selection of Thymocytes In Vivo. J. Exp. Med., Vol. 185, No. 3, pp. 541-550 (1997).

C. S. Shelley *et al.*, Mapping of the Human CD11c (ITGAX) and CD11d (ITGAD) Genes Demonstrates that they are Arranged in Tandem Separated by No More Than 11.5 kb. Genomics, Vol. 49, pp. 334-336 (1998).

K. Garber, Waiting for Cancer Vaccines. Mod. Drug Discovery, pp. 37-44 (1999).

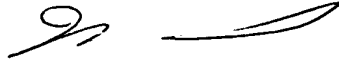
## REMARKS

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that this document is considered material to patentability as defined in 37 C.F.R. §1.555(a). Patentee does not waive any right to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present reexamination patent.

Patentee believes no fee is due for this filing, however the Commissioner is authorized to charge any fee due for this filing to Deposit Account No. 06-1447. For purposes of charging said Deposit Account, a duplicate copy of this Statement is enclosed.

It is thus requested that the foregoing materials be considered during the reexamination of the accompanying patent and be specifically made of record therein.

Respectfully Submitted,



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FORM PTO 1449 (modified)  
U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
LIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)  
Date Submitted to PTO: April 4, 2000

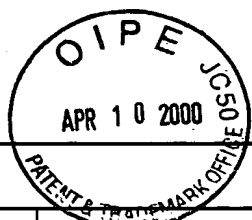
ATTY DOCKET NO.  
052544-0108

SERIAL NO.  
09/476,202

APPLICANTS  
John D. Noti

FILING DATE  
January 3, 2000

GROUP  
1643



## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,502,176	3/26/96	Tenen <i>et al.</i>			
	5,556,954	9/17/96	Burn <i>et al.</i>			

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	J. Noti <i>et al.</i> , Human p150,95 $\alpha$ -Subunit: Genomic Organization and Analysis of the 5'-Flanking Region. <u>DNA and Cell Biol.</u> , Vol. 11, pp. 123-138 (1992). ✓
	A. Back <i>et al.</i> , Leukocyte Integrin CD11b Promoter Directs Expression in Lymphocytes and Granulocytes in Transgenic Mice. <u>Blood</u> , Vol. 85, No. 4, pp. 1017-1024 (1995). ✓
	K. Ritchie <i>et al.</i> , The Human Leukocyte Integrin CD11a Promoter Directs Expression in Leukocytes of Transgenic Mice. <u>Blood</u> , Vol. 85, No. 1, pp. 147-155 (1995). ✓
	M. Van der Vieren <i>et al.</i> , A Novel Leukointegrin, $\alpha\beta 2$ , Binds Preferentially to ICAM-3. <u>Immunity</u> , Vol. 3, pp. 683-690 (1995). ✓
	D. Wong <i>et al.</i> , Cloning and Chromosomal Localization of a Novel Gene-Encoding a Human $\beta_2$ -Integrin $\alpha$ Subunit. <u>Gene</u> , Vol. 171, pp. 291-294 (1996). ✓
	T. Bocker <i>et al.</i> , Targeted Expression of Major Histocompatibility Complex (MHC) Class II Molecules Demonstrates that Dendritic Cells Can Induce Negative but Not Positive Selection of Thymocytes In Vivo. <u>J. Exp. Med.</u> , Vol. 185, No. 3, pp. 541-550 (1997). ✓
	C. S. Shelley <i>et al.</i> , Mapping of the Human CD11c (ITGAX) and CD11d (ITGAD) Genes Demonstrates that they are Arranged in Tandem Separated by No More Than 11.5 kb. <u>Genomics</u> , Vol. 49, pp. 334-336 (1998). ✓
	K. Garber, Waiting for Cancer Vaccines. <u>Mod. Drug Discovery</u> , pp. 37-44 (1999). ✓

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.